



CONCURRENCE

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Ref: 8EPR-SR

ACTION MEMORANDUM AMENDMENT

SUBJECT: Action Memorandum Amendment for the Non-Time Critical Removal Action at the Empire Canyon Site, Park City, Utah.

FROM: Kathryn Hernandez
Remedial Project Manager

TO: Max Dodson
Assistant Regional Administrator

Site ID#: 0894
Category of Removal: Non-Time Critical Removal

I. INTRODUCTION

The purpose of this Action Memorandum Amendment is to document and request approval of a modification to the PRP Lead non-time critical Removal Action (NTCRA) at the Empire Canyon Site ("the Site") in Park City, Utah. The modification includes an amendment to the preferred cleanup alternative that was selected for the Removal Action at one portion of the Site known as the Daly West Mine Dump. This would require a land use change from recreational to residential and commercial.

The Empire Canyon Site is located within the Upper Silver Creek Watershed, where stakeholder-based investigation and cleanup efforts are occurring. The Empire Canyon NTCRA is one of several actions designed to address contamination issues in the watershed. In December 2003, EPA and United Park City Mines (UPCM) entered into an Administrative Order on Consent (AOC) for performance of the NTCRA. The removal action includes addressing contaminated sediments and surface water that exist in the Empire Canyon and nearby drainages. It also includes placement of adequate cover and containment of the historical Daly West Mine Dump, with implementation of engineering controls to manage erosion, maintain the cover, and protect surface water. This work was projected to be complete in 2006. The amendment to the NTCRA addresses development activities specific to the Daly West Mine Dump.

The Daly West Mine Dump is located adjacent to the Empire Canyon Day Lodge, owned by the Deer Valley ski resort. The mine dump is surrounded by ski runs and is easily accessed by year round recreational users. UPCM recently agreed to lease a portion of the Empire Canyon site to

CERCLA 08-2004-003

K.M.A.
EPR-SR
7/19/06

BART Green
EPR-SR
7/24/06

SEPR-RC
Kendall w/ comment
9/3/06

w/ comments
8/25/06

SEPR-EP
7/19/06

21387000

DV Luxury Resort, LLC (DVLRL). DVLRL has proposed the construction of a hotel, spa and condominium project at Daly West Mine Dump. The footprint of the proposed hotel building covers the majority of the Daly West Mine Dump while landscaping, pedestrian walkways, and parking areas cover the remaining acreage of the mine dump.

II. SITE CONDITIONS AND BACKGROUND *Bold*

A. Site Description and History

The Empire Canyon Site is a historic ore mining and processing area located in and around Park City, Summit County, Utah. The Site is situated on the eastern slope of the Wasatch Range, approximately 25 miles east of Salt Lake City. The Town of Park City rests at the downstream end of Empire Canyon.

The immediate area around the Site consists of steep canyon walls with mine/mill wastes and mine overburden present in several locations, which slope directly into the Empire Canyon drainage. The terraces or flat spots in the canyon are the locations of former mining facilities and a municipal drinking water tank. There were several mines, a concentrator, assay office, trams and other mine workings in the canyon up to the drainage divide.

Waste rock piles from the mine operations are located along the canyon walls as well as in the Empire channel. Several worn trails parallel the channel and traverse the mill and mine sites. The canyon is a popular area for residents and visitors to hike and mountain bike. The Empire Canyon drainage originates approximately one mile to the south near the Summit/Wasatch County line. Flow originating in the canyon occurs in a small ephemeral channel. This water forms the headwaters of Silver Creek, which is a tributary of the Weber River.

Empire Canyon is situated between, and within, the Deer Valley and Park City Ski Resorts. The Daly West Mine Dump is located within Empire Canyon and adjacent to the Empire Canyon Day Lodge, which is frequented by skiers from the resorts. The Deer Valley Ski Resort and Daly West Mine Dump receive 350 inches of snow, annually. The mine dump is covered by snow from November to early May in a typical year. The Daly West Mine Dump has changed significantly since the removal action began in 2003. Activities included excavation and removal of contaminated soils and mine rock, and recontouring of the remaining material.

1. Stakeholder investigative activities at the Empire Canyon Site

a. Removal Site Evaluation: The Empire Canyon Site was initially investigated in 1996. The Utah Department of Environmental Quality (UDEQ) conducted a Preliminary Assessment (PA) of the Site which noted that mine waste and elevated levels of heavy metals were present at the Site and that additional investigation was warranted.

b. Listing of Silver Creek on the Clean Water Act Section 303(d) list of impaired water bodies: In 1999, EPA and other stakeholders, under the name of the Upper Silver Creek Watershed Stakeholders Group (USCWSG), began a collaborative watershed investigation in the Park City area. At that time, six sites in the area were

ACTION MEMO AMENDMENT

ROUTING & TRANSMITTAL SLIP

J. Hernandez Date: 7/17/06

	Initials	Date
Kathie Atencio	KMA	7/19/06
Bert Garcia	BC	7/24/06
Maureen O'Reilly	w/ comments more	7/25/06
Sharon Kercher	w/ comment SK	8/3/06
Peggy Livingston	with questions PL	8.24.06
Mike Risner	w/ comment MR	8/25
Max Dodson		9/7/06